

# STATE OF NEW YORK

---

2966

2021-2022 Regular Sessions

## IN SENATE

January 26, 2021

---

Introduced by Sen. HARCKHAM -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to prescribing an opioid antagonist with a patient's first opioid prescription in a given year

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 3309 of the public health law is amended by adding  
2 a new subdivision 7 to read as follows:

3 7. With the first prescription to a particular patient of an opioid of  
4 each year for use in a setting other than a general hospital or nursing  
5 home under article twenty-eight of this chapter or facility under arti-  
6 cle thirty-one of the mental hygiene law, or when a practitioner is  
7 prescribing a controlled substance to a patient under the care of  
8 hospice as defined by section four thousand two of this chapter, the  
9 prescriber shall prescribe an opioid antagonist when any of the follow-  
10 ing risk factors are present: (a) a history of substance use disorder;  
11 (b) high dose or cumulative prescriptions that result in over fifty  
12 morphine milligram equivalents per day; (c) concurrent use of opioids  
13 and benzodiazepine or nonbenzodiazepine sedative hypnotics.

14 § 2. This act shall take effect on the one hundred eightieth day after  
15 it shall have become a law. Effective immediately, the addition, amend-  
16 ment and/or repeal of any rule or regulation necessary for the implemen-  
17 tation of this act on its effective date are authorized to be made and  
18 completed by the commissioner of health on or before such effective  
19 date.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD03417-01-1